

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ASPIRATING AND MIXING OF LIQUIDS WITHIN A PROBE TIP, the specification of which,

(check one) ☐ is attached hereto.

☒ was filed on as February 22, 2000

Application Serial No. 09/510928

and was amended on \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) :

| Country | Application Number | Date of Filing | Priority Claimed Under 35 U.S.C. 119 |                             |
|---------|--------------------|----------------|--------------------------------------|-----------------------------|
|         |                    |                | <input type="checkbox"/> YES         | <input type="checkbox"/> NO |
|         |                    |                | <input type="checkbox"/> YES         | <input type="checkbox"/> NO |
|         |                    |                | <input type="checkbox"/> YES         | <input type="checkbox"/> NO |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(Application Number)(Filing Date)(Application Number)(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.Filing DateStatusApplication Serial No.Filing DateStatus

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith as well as to file equivalent patent applications in countries foreign to the United States including the filing of international patent applications in accordance with the Patent Cooperation Treaty: Audley A. Ciamporzero, Jr. (Reg. #26,051), Steven P. Berman (Reg. #24,772), Andrea L. Colby (Reg. #30,194), Michael Stark

10907450660

Docket No: CDS-0216

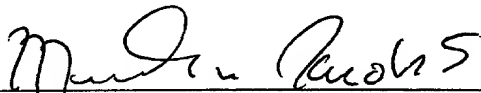
(Reg. #32,495), Joseph F. Shirtz (Reg. #31,880), Andrew C. Farmer (Reg. #35,868), and Todd F. Volyn (Reg. #37,463), One Johnson & Johnson Plaza, New Brunswick, NJ 08933.

Address all telephone calls to Todd F. Volyn at telephone no. (732) 524-6202.

Address all correspondence to Audley A. Ciamporzero, Jr., One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003.

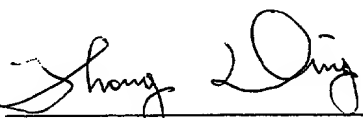
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature:  
Full Name of Sole  
or First Inventor

  
Merrit N. Jacobs  
Date: 8/4/2000


Citizenship: United States of America  
Residence: 3 Foxboro Terrace  
Post Office Address: Fairport, New York 14450

Inventor's Signature:  
Full Name of Second Joint  
Inventor, If Any

  
Zhong Ding  
Date: 8/4/2000

Citizenship: Peoples Republic of China  
Residence: 2 Breezewood Court  
Post Office Address: Fairport, New York 14450

Inventor's Signature:  
Full Name of Third Joint  
Inventor, If Any

  
Ronald F. Brookes  
Date: 08/07/2000

Citizenship: United States of America  
Residence: 55 Union Station Road  
Post Office Address: N. Chili, New York 14514-9742

1090114506600

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Merrit N. Jacobs et al.  
Serial No. : 09/510,928 Art Unit: 1723  
Filed : February 22, 2000 Examiner: Sandra Garnett  
For : ASPIRATING AND MIXING OF LIQUIDS WITHIN A PROBE TIP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on

September 5, 2000

(Date of Deposit)

Todd F. Volyn

(Name of applicant, assignee, or Registered Representative)

Todd F. Volyn

(Signature)

September 5, 2000

(Date of Signature)

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY**

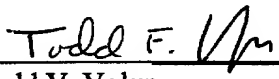
Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed Combined Declarations and Powers of Attorney for the application of Merrit N. Jacobs et al. entitled ASPIRATING AND MIXING OF LIQUIDS WITHIN A PROBE TIP attorney Docket No. CDS-0216 to complete, pursuant to Rule 51, this application filed on February 22, 2000 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

DOCKET NO. CDS-0216  
SERIAL NO. 09/510,298

Please charge Johnson & Johnson Deposit Account No. 10-0750/CDS-0216/TFV in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/CDS-0216/TFV. This sheet is submitted in triplicate.

Respectfully submitted,

  
\_\_\_\_\_  
Todd V. Volyn  
Reg. No. 37,463  
Attorney for Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-6202  
September 5, 2000

103071-490660

## FORMALITIES LETTER



\*OC00000005037913\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT  | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|------------------------|------------------------|
| 09/510,928         | 02/22/2000          | APR 1 0 2000 N. Jacobs | CDS-0216               |

Audley A Ciamporocero Jr  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003

Date Mailed: 04/07/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a):

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge, as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*S. Garnett*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Merrit N. Jacobs et al.  
Serial No. : 09/510,928 Art Unit: 1723  
Filed : February 22, 2000 Examiner: Sandra Garnett  
For : ASPIRATING AND MIXING OF LIQUIDS WITHIN A PROBE TIP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on

September 5, 2000

(Date of Deposit)

Todd F. Volyn

(Name of applicant, assignee, or Registered Representative)

Todd F. Volyn

(Signature)

September 5, 2000

(Date of Signature)

Assistant Commissioner For Patents  
Washington, D.C. 20231

PETITION FOR EXTENSION OF TIME  
AND AUTHORIZATION TO CHARGE  
DEPOSIT ACCOUNT THEREFOR

Dear Sir:

Applicant(s) petition(s) the Commissioner of Patents and Trademarks to extend the time for response to the Notification to File Missing Parts of Nonprovisional Application dated April 7, 2000 for three (3) month(s) from June 7, 2000 to September 7, 2000. An executed combined Declaration and Power of Attorney is being filed concurrently herewith.

Please charge Deposit Account No. 10-0750/CDS-0216/TFV in the name of Johnson & Johnson for the cost of filing this Petition. Three copies of this Petition are enclosed.

Respectfully submitted,

Todd F. Volyn  
Todd F. Volyn  
Reg. No. 37,463  
Attorney for Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
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